

Exhibit 5

Chris Martin – Proposed Public Comment Policy – January 18, 2024

Public Comment at Meetings of Cleveland City Council

- 1) **All meetings of Cleveland City Council are open to the public.** Members of the public are prohibited from engaging in any conduct that substantially and unreasonably interferes with the business of the Council, and the safe and orderly use, operation or administration of the Chambers.
- 2) City Council shall permit public comment at each regular City Council meeting and at each Committee meeting. Speakers offering public comment are solely responsible for the content of their comments.
- 3) **Public Comment at regular City Council meetings.** Council shall provide a public comment period of up to sixty minutes for members of the public to address Council. Each speaker may address Council for up to three (3) minutes. The public comment period shall not begin until a quorum of Council members is present. If at any time a quorum of Council members is no longer present, the meeting shall pause until a quorum is again present.
 - a) **Pre-Registration portion of public comment.** The first thirty minutes of the public comment period will be reserved for speakers who pre-register according to the following requirements:
 - i) Any person who wants to address Council during the public comment period shall register using the registration form made available. A person may file their public comment form starting one week before they wish to address Council until the scheduled start of the public comment period. The public comment form will request the name, address and organization (if applicable) of the person addressing Council and the subject of the comment. Any material or information to be distributed to Council must be submitted with the public comment form. The Clerk of Council shall indicate the time of receipt and the order in which public comment forms were received. A speaker may indicate on the public comment form that they wish to proceed with public comment without first providing their name or other identifying information.
 - ii) The Presiding Officer shall recognize and introduce members of the public in the order in which their public comment forms were received. Those who timely submitted their public comment form to the Clerk of Council but are unable to address Council during the initial thirty-minute public comment period due to an expiration of the comment period will have first priority to address Council at the next Regular Council meeting.
 - iii) Council will maintain a record of all those who attempt to pre-register.
 - b) **Audience participation in public comment.** During the second thirty-minute portion of the public comment period shall be reserved for audience members who did not pre-register to address Council.
 - i) The Presiding Officer will announce that any attendees wishing to address Council who did not previously speak should form an orderly line behind the microphone.

Chris Martin – Proposed Public Comment Policy – January 18, 2024

- ii) Each speaker will be given up to three minutes to address Council. The Presiding Officer may ask that attendees wishing to speak on a topic already covered during the pre-registration portion would give priority to other attendees raising new issues, but shall not discriminate against any speakers' viewpoints.
- iii) If it appears that no additional audience speakers are waiting to comment prior to the expiration of the public comment period, the Presiding Officer shall make three announcements asking whether there are any other speakers who wish to offer public comment before moving on with the remainder of Council's agenda.
- c) People addressing Council shall not engage in any conduct that disrupts, disturbs, or otherwise impedes Council's ability to conduct its business. The Presiding Officer maintains discretion to preserve the order and decorum of the Council meeting during the public comment period, so long as that discretion is exercised without regard to the particular viewpoint being expressed. The Presiding Officer will give one warning to the person addressing Council if the Presiding Officer determines that the person addressing Council is not following the requirements of this Subsection. If the requirements of this Subsection continue to be violated after one warning, the Presiding Officer may terminate the violator's opportunity to comment for the remainder of the meeting. Violators may still express their opinion in a written submission to Council and may speak at future meetings.
- 4) **The Presiding Officer shall respect the First Amendment rights of speakers during the public comment period.** Council recognizes that the First Amendment protects a broad range of speech from government interference, and that First Amendment exceptions for true threats, incitement, defamation, fighting words, etc. are subject to narrow and precise legal definitions. The Presiding Officer and Council shall not interrupt or otherwise prevent a speaker from addressing Council for any improper purpose. In particular,
 - a) The Presiding Officer shall not silence any speaker because of the topic they are addressing or the viewpoint they are expressing;
 - b) The Presiding Officer must allow even that speech which is offensive, personally directed, repetitive, or disrespectful.
 - c) Council shall not use the pre-registration requirement to prevent speakers from addressing certain topics or advocating certain viewpoints or to filter out criticism of themselves or their agenda;
 - d) Concerns about civility and mutual respect shall not be used as a justification for interrupting or otherwise silencing speakers.
- 5) **Persons needing assistance.** Any person seeking reasonable accommodations – such as for a disability or language assistance – must make the request at least three business days in advance. Council will make every effort to make reasonable accommodations.
- 6) **Public information.** All registration information is considered public record. All public comments made at the Council meeting are considered a public record.

Public Comment at Committee Meetings.

Members of the public are encouraged to comment on matters relevant to the Committee purpose during meetings of the various Committees. Any person who wants to address a

Chris Martin – Proposed Public Comment Policy – January 18, 2024

Committee must complete a public comment form and file it with the Clerk of Council. A person may file their public comment form starting one week before they wish to address the Committee until the scheduled start of the Committee meeting. The public comment form will request the name, address and organization (if applicable) of the person addressing the Committee and the agenda item or subject of the comment. Any material or information to be distributed to the Committee must be submitted with the public comment form. The Clerk of Council shall indicate the time of receipt and the order in which public comment forms are received. Persons who wish to address a Committee may do so for up to three (3) minutes prior to the regular items on the Committee's agenda. The time limit may be changed at the discretion of the Chair as long as the length of time for public comment is uniform for all members of the public. If at anytime a quorum of Committee members is no longer present, the meeting shall pause until a quorum is again present.